

House Bill 1220

By: Representatives Geisinger of the 48th, Chambers of the 81st, Oliver of the 83rd, Jacobs of the 80th, Cox of the 102nd, and others

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to payment and distribution of fines, so as to provide for the imposition and collection of additional penalties for violations of traffic laws for the purpose assisting in the funding of uninsured trauma services at certain hospitals in this state; to provide for the division of such funds; to provide for other related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 21 of Title 15 of the Official Code of Georgia Annotated, relating to payment and distribution of fines, is amended by adding a new Article 11 to read as follows:

"ARTICLE 11

15-21-200.

(a) In every case in which any court in this state shall impose a fine or bond payment, which shall be construed to include costs, for any moving violation of the traffic laws of this state or for any moving violations of ordinances of political subdivisions which have adopted by reference the traffic laws of this state, there shall be imposed an additional penalty of \$10.00.

(b) Such sums shall be in addition to any amount required to be paid into any pension, annuity, or retirement fund under Title 47 or any other law and in addition to any other amounts provided for in this chapter.

15-21-201.

(a) The sums provided for in Code Section 15-21-200 shall be assessed and collected by the clerk or other court officer charged with the duty of collecting moneys from fines and shall be paid over by the last day of the following month to the Georgia Superior Court Clerks' Cooperative Authority for remittance to the Office of Treasury and Fiscal Services to be deposited into the general fund of the state treasury.

(b) Any person whose duty it is to collect and remit the sums provided for in this article who refuses to so remit shall be guilty of a misdemeanor.

15-21-202.

(a) As soon as practicable after the end of each fiscal year, the Office of Treasury and Fiscal Services shall report the amount of funds received pursuant to Code Section 15-21-200 to the Office of Planning and Budget. An amount equal to such proceeds received from such fines in any fiscal year shall be appropriated during the following fiscal year to all public and private hospitals maintaining trauma care centers in this state for the purpose of funding uninsured trauma care at such facilities.

(b) The funds appropriated pursuant to this Code section shall be divided among the hospitals maintaining trauma care centers on a pro rata basis based upon the number of persons receiving uninsured trauma care at such hospital during the previous calendar year."

SECTION 2.

This Act shall become effective on January 1, 2007, provided that a constitutional amendment authorizing the collection and appropriation of additional penalties for traffic offenses to assist in the funding of uninsured trauma care services at public and private hospitals maintaining trauma care centers in this state is passed and ratified in the 2006 November general election. Otherwise, this Act shall stand repealed by operation of law on January 1, 2007.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.